

MEMORANDUM

Agenda Item No. 5(K)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: September 3, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution granting petition to
close the alley lying west of NW
22 Avenue, from NW 41 Street
south for approximately 142 feet
(Alley Closing Petition No. P-
1026) filed by Earlington West
Apartments, LP and waiving the
signature requirements of
Resolution No. 7606 as to
adjacent property owners

Resolution No. R-831-25

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Keon Hardemon.



Geri Bonzon-Keenan
County Attorney

GBK/ks

Memorandum



Date: September 3, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

Subject: Alley Closing Petition P-1026 in Commission District: 3

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to grant a petition filed by Earlington West Apartments, LP to vacate the subject alley. If this petition is granted, the underlying lands will become incorporated into the abutting properties. The \$8,341.45 fee for this alley closing petition has been paid.

Recommendation

It is recommended that the Board grant alley closing petition P-1026, attached to this Memorandum as Exhibit 2, following a public hearing. The Miami-Dade County (County) Departments of Regulatory and Economic Resources, Transportation and Public Works (DTPW), Water and Sewer (WASD), and Fire Rescue have no objection to this alley being vacated. This request conforms with County regulations governing the procedures for the vacation of County right-of-way as set forth in Resolution No. 7606. Location maps are attached as Exhibit 1. The subject land has never been improved nor maintained by the County.

Scope

The subject alley is located within District 3, which is represented by Commissioner Keon Hardemon.

Fiscal Impact/Funding Source

The Property Appraiser's Office has assessed the properties adjacent to the subject alley at an average rate of \$45.00 per square foot. Therefore, the estimated value of the subject land is approximately \$63,815. If the subject alley is closed and vacated, the land that reverts to private property will be placed on the tax roll, generating an estimated \$930 per year in additional property taxes. The fee for this alley closing petition is \$8,341.45.

Track Record/Monitor

DTPW is the entity overseeing this project and the person responsible for monitoring it is Maria D. Molina, P.E., Chief, Right-of-Way Division.

Delegated Authority

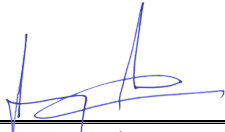
There is no delegation of authority associated with this item.

Background

Attachments: Exhibit 1 – Location & Aerial Maps, Exhibit 2 – Alley Closing Petition P-1026, Exhibit A – Sketch & Legal Description, Exhibit B – Survey

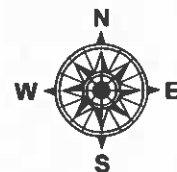
Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners
Page 2

The owner of all the abutting private properties wishes to close the subject alley that lies west of NW 22 Avenue, from NW 41 Street south for approximately 142 feet, to facilitate the proposed development of a multi-family housing complex on this site. The southeast portion of the subject alley abuts on a portion of unimproved right-of-way that is adjacent to an on-ramp for State Road 112. However, the subject alley is covered with grass, has never been improved nor maintained by the County, and does not serve any practical function with respect to the surrounding properties or State Road 112. It was dedicated to the County in 1921 by the plat of GARDEN CITY, as recorded in Plat Book 5, at Page 73, of the Public Records of Miami-Dade County, Florida. The abutting properties are zoned MCUCD (Model City Urban Center District).



Jimmy Morales
Chief Operating Officer

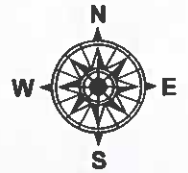
SECTION 22 TOWNSHIP 53 S RANGE 41 E



The map shows a portion of Section 112, Township 12N, Range 10E. The central parcel is labeled 1. To its north are parcels 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20. To its east are parcels 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30. To its south are parcels 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40. To its west are parcels 41, 42, 43, 44, 45, 46, 47, 48, 49, and 50. The map also shows the location of Section 111 and Section 113. Roads shown include NW 22nd Ave, NW 22nd Ct, NW 41st St, and SR 112 RAMP. The map also shows the location of Section 111 and Section 113.

MDC004

Location & Aerial Map
SECTION 22 TOWNSHIP 53 S RANGE 41 E
EXHIBIT 1



THIS IS NOT A SURVEY
NOT TO SCALE

Legend 
P-1026 Alley Closing

P- 1026

MIAMI-DADE COUNTY
Department of Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, 1610
Miami, Florida 33128
PH (305) 375-2714

Municipality: Unincorporated
Commission District 3
Keon L. Hardemon

Date: 8-16-2024
Drawn By: A.Santelices

MDC005

EXHIBIT 2

PETITION TO CLOSE ROAD

TO: Board of County Commissioners
Miami-Dade County, Florida

The undersigned, pursuant to Sections 336.09 – 336.12 Florida Statutes, hereby petitions the Board of County Commissioners to vacate, abandon, discontinue and close an existing public street, alleyway, road, highway, or other place used for travel, or a portion thereof, and to renounce and disclaim any right of the County and the public in and to any land in connection therewith; or to renounce and disclaim any right of County and the public in and to certain land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for street, alleyway, road or highway purposes; or to renounce and disclaim any right of the County and the public in and to certain land delineated on recorded map or plat as a street, alleyway, road or highway.

The undersigned hereby certify:

1. **LEGAL DESCRIPTION:** The complete and accurate legal description of the road, right-of-way sought to be closed is as follows:

See attached Exhibit A.

2. PUBLIC INTEREST IN ROAD: The title or interest of the county and the Public in and to the above described road, right-of-way was acquired and is evidenced in the following manner (state whether public interest was acquired by deed, dedication or prescription and set forth where deed or plat is recorded in public records):

Plat Book 5, Page 73 of the public records by dedication.

3. ATTACH SURVEY SKETCH: Attached hereto is a survey accurately showing and describing the above described right-of-way and its location and relation to surrounding property, and showing all encroachments and utility easements.

SEE ATTACHED EXHIBIT "B".

4. ABUTTING PROPERTY OWNERS: the following constitutes a complete and accurate schedule of all owners of property abutting upon the above described right-of-way.

PRINT NAME	FOLIO NO.	ADDRESS
EARLINGTON WEST APARTMENTS LP	30-3122-008-1090	N/A
EARLINGTON WEST APARTMENTS LP	30-3122-008-1080	N/A
EARLINGTON WEST APARTMENTS LP	30-3122-008-1070	N/A
EARLINGTON WEST APARTMENTS LP	30-3122-008-0900	4052 NW 22 AVENUE, MIAMI, FL 33142
EARLINGTON WEST APARTMENTS LP	30-3122-008-0910	N/A

5. ACCESS TO OTHER PROPERTY: The undersigned certify that in the event this petition is granted no other property owners will be prevented from access to and from their property and no other property owners in the vicinity will be adversely affected.

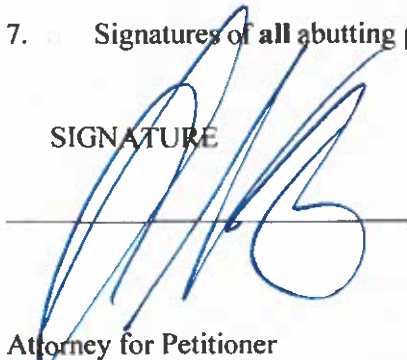
6. GROUNDS FOR REQUESTING PETITION AND PROPOSED USE FOR THE LAND BY THIS REQUEST: The undersigned submits as a grounds and reasons in support of this petition the following (state in detail, why petition should be granted):

The undersigned wishes to unify the lots it owns and merge the properties together so that one building may be built on undersigned's land.

7. Signatures of all abutting property owners:

Respectfully submitted,

SIGNATURE



Attorney for Petitioner

FOLIOS

30-3122-008-1090, 30-3122-008-1080,
30-3122-008-1070, 30-3122-008-0900,
30-3122-008-0910

Address:

Signature of Attorney not required)

STATE OF FLORIDA

)

) SS

MIAMI-DADE COUNTY

)

BEFORE ME, the undersigned authority, personally appeared by means of ☒ physical or
[] online notarization Lewis V. Swezy, who first by me duly sworn, deposes
and says that he/she is one of the petitioners named in and who signed the foregoing
petition; that he/she is duly authorized to make this verification for and on behalf of all
petitioners; that he/she has read the foregoing petition and that the statements therein
contained are true.

(Signature of Petitioner)

Sworn and subscribed to before me this

9th day of August, 2021

Notary Public State of Florida at Large

My Commission Expires: _____

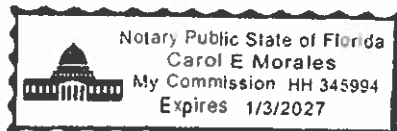


EXHIBIT A
SKETCH & LEGAL
DESCRIPTION

EXHIBIT "A"



SCALE: 1" = 300'

10' PLATTED ALLEY TO BE CLOSED

LEGAL DESCRIPTION:

A portion of a 10-Foot platted alley, lying west of Lots 1, 2, and 3, and lying east of Lots 28, 29, and 30, in Block 5, of "GARDEN CITY", according to the plat thereof, as recorded in Plat Book 5, Page 73, of the Public Records of Miami-Dade County, Florida, said portion being bounded at the South and at the South-East by the northerly right-of-way line of State Road 112 (Airport Expressway), as depicted in that FDOT Right-of-Way Map of SR 25, Section 87090-2501, as recorded in Plat Book 68, Page 86, of the Public Records of Miami-Dade County, Florida.

Said lands containing approximately 1, 418.1 square feet, and lying in Section 22, Township 53 South, Range 41 East, Miami-Dade County, Florida.

I hereby certify that this Sketch and Legal Description complies with the Standards of Practice as set forth by the Board of Professional Surveyors and Mappers according to the applicable provisions of Chapter 5J-17, Florida Statutes. This Sketch and Legal Description are true and correct to the best of my knowledge and belief.

Digitally signed by Odalys C. Bello
DN: c=US, o=Bello and Bello Land
Surveying Corp.,
dnQualifier=A01410CD00001884E3
B67E8000DD40A, cn=Odalys C
Bello

Odalys C. Bello
Professional Surveyor & Mapper No. 6169, State of Florida
Completion Date: 07/30/2024

NOTES:

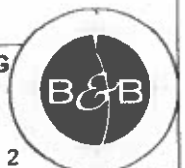
1. This is not a Boundary Survey - A field Survey has not been conducted.
2. Legal Description of servient estate has been obtained from Public Records.
3. Geometry is based on underlying subdivisions, as shown.
4. These lands are subject to easements and restrictions of record. No title search has been conducted by this surveyor.
5. This sketch and the copies thereof are not valid without the original signature and raised seal, verified authenticated electronic signature, or the digital signature and seal of the Florida Registered Land Surveyor and Mapper in responsible charge.

BELLO & BELLO LAND SURVEYING

12230 SW 131 AVENUE • SUITE 201 • MIAMI FL 33186
Phone: 305.251.9605 • Fax: 305.251.6057 • LB#7262
e-mail: info@belloland.com • www.bellolandsurveying.com

Project No. 19678

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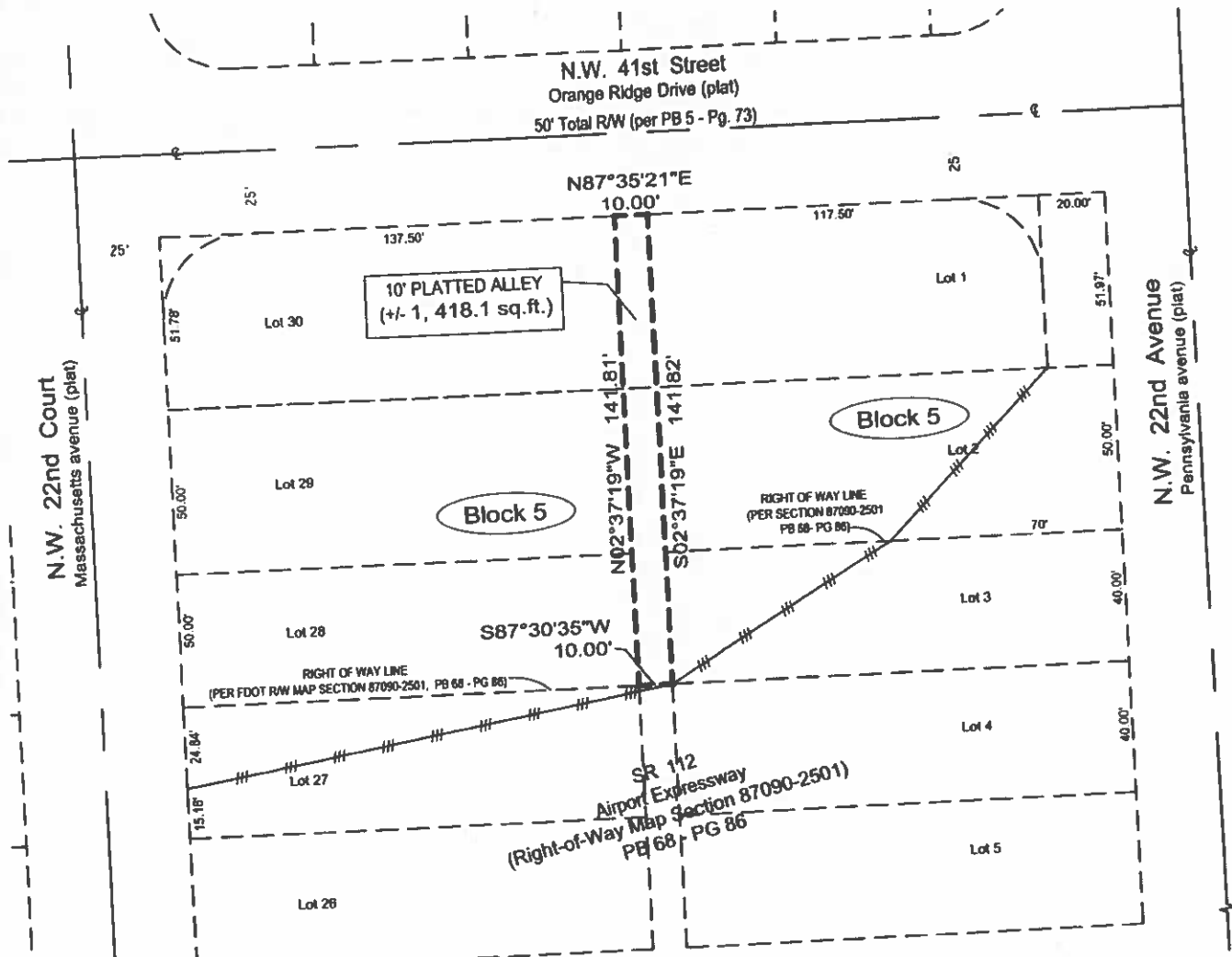
MDC010

EXHIBIT "A"



0 25 50

SCALE: 1" = 50'



LEGEND:

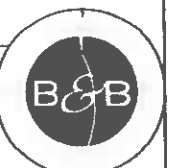
PB. Denotes Plat Book number
Pg. Denotes Plat Book page number
ORB. Denotes Official Records Book
R/W. Denotes Right of Way
CL. Denotes Center Line
SR. Denotes State Road

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e-mail info@belloland.com • www.bellolandsurveying.com

Project No. 19678

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MDC011

EXHIBIT B

Survey

A Register of a Portion of Lots 1, 2, 3, 27, 28, 29, and 30, Block 5, of GARDEN CITY, as recorded in Plat Book 5, Page 73 of the Public Records of Dade County, Florida.

A Register of a Portion of Lots 1, 2, 3, 27, 28, 29, and 30, Block 5, of GARDEN CITY, as recorded in Plat Book 5, Page 73 of the Public Records of Dade County, Florida.



The rights of this ad are in claim and we do this product of the plaintiff.

General Use: *crisp*
 Associated Use: *Wholesome Apartment Complex (7) Urban*

Accepted Number of Entries: One (1)
Proposed Number of Lots: One (1)

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482 • J. Neurosci., September 24, 2008 • 28(39):474–484

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These birds are found in cultivated gardens of warm low-lying and hilly areas. A life span of 10 years has been reported.

is being sold in 50 to 75 Bury Mts.

and healthy, and the fact is that a large and essential body of people are being supported in one or two ways. There is no harm in questioning this support, even when the support is in the form of money. It is important to make certain support, any

continued on page 10

Sum of Squares: Amount bearing along the Center Line of the ANOVA Model.

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1494297 CERN/97 And the faster electrons in the bunches of protons is not help by the electric field of subnanosecond bunches. However, it is noticeable elements of about 1.5 V from microscopes were obtained in bunches 2.2 Gb/s. Velocity 200 km/s.

Digitally signed by Paul A. Hwang, DN: cn=Paul A. Hwang, o=IBM, ou=IBM, email=Paul.Hwang@us.ibm.com, c=US

Date: 2020.06.18
12:06 AM

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PAULET W, LYON

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PAGE | OF |

PROJECT NO. 20184

MDC013



MEMORANDUM (Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: September 3, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(K)

Please note any items checked.

- _____ **"3-Day Rule" for committees applicable if raised**
- _____ **6 weeks required between first reading and public hearing**
- _____ **4 weeks notification to municipal officials required prior to public hearing**
- _____ **Decreases revenues or increases expenditures without balancing budget**
- _____ **Budget required**
- _____ **Statement of fiscal impact required**
- _____ **Statement of social equity required**
- _____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**
- _____ **No committee review**
- _____ **Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, majority plus one ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3) (h) or (4)(c) ____, CDMP 9 vote requirement per 2-116.1(4)(c) (2) ____)** to approve
- _____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(K)
9-3-25

RESOLUTION NO. R-831-25

RESOLUTION GRANTING PETITION TO CLOSE THE ALLEY LYING WEST OF NW 22 AVENUE, FROM NW 41 STREET SOUTH FOR APPROXIMATELY 142 FEET (ALLEY CLOSING PETITION NO. P-1026) FILED BY EARLINGTON WEST APARTMENTS, LP AND WAIVING THE SIGNATURE REQUIREMENTS OF RESOLUTION NO. 7606 AS TO ADJACENT PROPERTY OWNERS

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying County Mayor's memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, Alley Closing Petition No. P-1026 was signed by the owner of all the private properties abutting on the alley sought to be closed; and

WHEREAS, the alley sought to be closed is adjacent to an unimproved portion of right-of-way for State Road 112 that is under the jurisdiction of the Florida Department of Transportation; and

WHEREAS, a public hearing was held in compliance with Resolution No. 7606,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are approved and incorporated by reference.

Section 2. Resolution No. 7606 is waived to the extent that it requires the signatures of all adjacent property owners on the petition to close a road.

Section 3. Alley Closing Petition No. P-1026 is hereby granted and the alley, avenue, street, highway, or other place used for travel as described in the petition attached as Exhibit 2 to the County Mayor's memorandum is hereby vacated, abandoned, and closed.

Section 4. All rights of Miami-Dade County and the public in and to the same are hereby renounced and disclaimed.

Section 5. It is found that the action will serve a public purpose and benefit the public without violating private property rights.

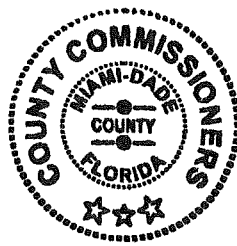
Section 6. The procedure utilized in the adoption of this resolution is expressly ratified and approved.

Section 7. Pursuant to Resolution No. 7606, the Clerk is hereby directed to publish notice of the adoption of this resolution one time within 30 days hereafter in a newspaper of general circulation of Miami-Dade County and the County Mayor or County Mayor’s designee shall record the proof of publication of the notice of public hearing of this resolution as adopted and the proof of publication of the notice of the adoption of this hearing in the public records of Miami-Dade County.

The foregoing resolution was offered by Commissioner **Eileen Higgins** , who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** and upon being put to a vote, the vote was as follows:

Anthony Rodriguez, Chairman		aye	
Kionne L. McGhee, Vice Chairman		aye	
Marleine Bastien	aye	Juan Carlos Bermudez	absent
Sen. René García	aye	Oliver G. Gilbert, III	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Natalie Milian Orbis	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 3rd day of September, 2025. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "AP", written over a horizontal line.

Annery Pulgar Alfonso